

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 10/673,443
Attorney Docket No. Q77376

REMARKS

I. Introduction

Claims 10-13 are presently pending in the application. Claims 11-13, however, are withdrawn from further consideration based on Applicant's Response to Election of Species filed on August 16, 2004.

Therefore, in the Office Action, only claim 10 is examined. In particular, claim 10 is rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent Publication No. 2002/0047063 to Kaneda et al. (hereinafter "Kaneda").

II. Claim Rejections – 35 U.S.C. § 102(b)

As an initial matter, the Examiner should note that the present application is a divisional of U.S. Application No. 09/856,308 filed on May 21, 2001 (abandoned as of March 17, 2004), which is a National Stage Application filed under § 371 of PCT Application No. PCT/JP99/06278 filed on November 11, 1999.¹

¹ These relationships were added to the specification of the present application by way of a Preliminary Amendment filed on September 30, 2003.

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III. Formal Matters

A. Priority

The Examiner acknowledges Applicant's claim for foreign priority under 35 U.S.C. § 119, including receipt of the priority document.

B. Information Disclosure Statement

The Examiner provides a signed and initialed copy of the Form PTO/SB/08 submitted with Applicant's IDS filed on February 9, 2004, thereby indicating consideration of the reference cited therein.

The Examiner has not yet provided a signed and initialed copy of the Form PTO/SB/08 submitted with Applicant's IDS filed on September 30, 2003. Applicant respectfully requests that the Examiner provide such a signed and initialed copy in the next correspondence.

C. Claims

Applicant amends claim 10 to correct two typographical errors (Office Action: page 2).

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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CUSTOMER NUMBER

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